

Zoning Commission Minutes

**Aug 30, 2012
3:00 pm**

Chairman Russ Hoff called the meeting of the Stark County Zoning Commission to order. Gene Jackson, Jay Elkin, Chairman Hoff, Chuck Steffan, Duane Grundhauser, Larry Messer, Kurt Frohlich and Klayton Oltmanns present and Sue Larsen absent. Also present were Planner Steve Josephson, State Attorney Tom Henning and Auditor Kay Haag.

Larry Messer moved to approve the minutes from the August 2, 2012 meeting. Klayton Oltmanns seconded. All voted Aye and motion carried.

Carl Kirschenheiter presented revised final plats for Enchanted Acres Subdivision located in the SW4 and NE4 Section 5, Township 139, Range 94, and a final plat for Buffalo Heights Subdivision located in All of Government Lot 1 Section 5, Township 139, Range 94. Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval of plats Enchanted Acres Subdivision and Buffalo Heights Subdivision for Carl Kirschenheiter. Gene Jackson seconded. Roll call vote. All voted Aye and the motion carried.

Steve Josephson, County Planner, requested the Zoning Members and Roosevelt-Custer review the Comprehensive Plan for zoning.

Chairman Hoff opened the public hearing on a request from Richard Dahm. The request was for a zoning change from Agricultural to Residential and for a plat of Duck Creek Estates. The location being in the SE4 Section 2, Township 139, Range 97 containing approximately 218 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Troy Hoff, Jeremy Ficek and Tom Glasser voiced concerns regarding traffic and dust control. Jay Orth spoke for the zoning change. Chairman Hoff closed the public hearing.

Steve Josephson, County Planner, recommended a denial due to insufficient information, wetlands, flood plain, sewer, water and issues of access. Jay Elkin moved to recommend to the Stark County Board of Commissioners the denial of a zoning change from Agricultural to Residential and a plat for Duck Creek Estates for Ricahrd Dahm. Gene Jackson seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Kenneth Heck. The request was for a zoning change from Agricultural to Industrial. The location being in the NW4 Section 5, Township 140, Range 99 containing approximately 25 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Steve Josephson, County Planner, recommended the denial of a zoning change due to spot zoning. Gene Jackson moved to recommend to the Stark County Board of Commissioners the denial of a zoning change from Agricultural to Industrial for NuVision Kenneth Heck. Duane Grundhauser seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Brian Dolyniuk. The request was for a zoning change from Agricultural to Heavy Industrial with a Conditional Use

Permit for a Planned Unit Development to allow for a trade school/private training center with short term accommodations for the training center for students. The location being in the NW4 Section 5, Township 140, Range 99 containing approximately 25 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Bob Prociv, Diane Prociv and Ben Privratsky voiced concerns regarding traffic, dust control, safety and noise. Phillip Dolyniuk and Brian Dolyniuk spoke for the workforce center. Chairman Hoff closed the public hearing.

Steve Josephson, County Planner, recommended the approval of a zoning change from Agricultural to Heavy Industrial, excluding the Conditional Use Permit with the following conditions:

1. The project shall be limited through the inclusion of the following conditions of zoning:
 - a. Development shall be limited to a vocational school for an oilfield safety academy with a maximum enrollment of 40 students.
 - b. The location of buildings and other uses on site associated with the academy will be as generally shown on the site plan submitted on August 22, 2012.
 - c. The residential dormitory shown on the site plan shall be limited to a maximum occupancy of 40 students.
 - d. Hours of operation for outside activities shall be limited to 7:00 am to 9:00 pm.
 - e. A maximum of nine (9) trucks for training purposes shall be allowed on the site.
 - f. The developer shall be required to improve 127th Ave South south of 35th St SW to meet minimum County standards. Maintenance of this portion of 127th Ave S, including, but not limited to, blading and snow plowing, shall be the responsibility of the developer.
 - g. Any future expansions on the site as well as changes to the uses allowed on the site shall require a hearing before the Stark County Planning and Zoning Board as well as approval from the Stark County Commission.
 - h. The developer shall secure all applicable water and sewer permits from Southwest District Health.
 - i. No hazardous or petroleum-based products will be hauled or stored on the site. Training based fluids shall be fresh water or eco-friendly antifreeze solutions.
 - j. No rail facilities shall be constructed as part of the project.

Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval of a zoning change from Agricultural to Heavy Commercial excluding the Conditional Use Permit and the following changes:

Condition a. and c. will be 60 students

Condition b. will be dated August 20, 2012

Condition i. will be resolved before the September 4th, 2012 Commission meeting, regarding hazardous or petroleum based products.

Duane Grundhauser seconded. Roll call vote. All voted Aye, except Chuck Steffan abstained. Motion carried

Jay Elkin moved to adjourn. Duane Grundhauser seconded.